# SENATE FILE 2104 BY McKINLEY

## A BILL FOR

- 1 An Act suspending certain financial mandates and restrictions
- 2 for school districts for certain school budget years and
- 3 including effective date and applicability provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. FUNDING FOR TEACHER LIBRARIANS, GUIDANCE
- 2 COUNSELORS, AND SCHOOL NURSES. Notwithstanding any provision
- 3 of a collective bargaining agreement entered into pursuant to
- 4 chapter 20, and any provision of section 256.11, subsections 9,
- 5 9A, and 9B, to the contrary, school districts are not required
- 6 to have a teacher librarian, quidance counselor, or school
- 7 nurse for any school budget year commencing during the fiscal
- 8 period beginning July 1, 2009, and ending June 30, 2012. Any
- 9 funds not expended due to this section may be expended for
- 10 school district general fund purposes.
- 11 Sec. 2. FUNDING FOR EXPANDED PHYSICAL EDUCATION
- 12 PROGRAMS AND CARDIOPULMONARY RESUSCITATION CERTIFICATION
- 13 COURSES. Notwithstanding any provision of section 256.11,
- 14 subsection 6, to the contrary, school districts may suspend
- 15 expanded physical education programs and cardiopulmonary
- 16 resuscitation certification courses for any school budget year
- 17 commencing during the fiscal period beginning July 1, 2009, and
- 18 ending June 30, 2012.
- 19 Sec. 3. FUNDING FOR THE STATEWIDE PRESCHOOL PROGRAM.
- 20 Notwithstanding any provision of chapter 256C to the contrary,
- 21 preschool foundation aid payments under chapter 256C shall
- 22 be distributed to all school districts based on a school
- 23 district's budget enrollment compared to the statewide total
- 24 budget enrollment for the school budget year beginning July 1,
- 25 2009, for any school budget year commencing during the fiscal
- 26 period beginning July 1, 2009, and ending June 30, 2012, to
- 27 be used for chapter 256C purposes, if applicable, or school
- 28 district general fund purposes.
- 29 Sec. 4. FUNDING FOR TEACHER SALARY SUPPLEMENT.
- 30 Notwithstanding any provision of a collective bargaining
- 31 agreement entered into pursuant to chapter 20 and any provision
- 32 of section 257.10, subsection 9, to the contrary, school
- 33 districts may expend teacher salary supplement funding for
- 34 school district general fund purposes for any school budget
- 1 year commencing during the fiscal period beginning July 1,

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- 2 2009, and ending June 30, 2012.
- 3 Sec. 5. FUNDING FOR THE PROFESSIONAL DEVELOPMENT
- 4 SUPPLEMENT. Notwithstanding any provision of a collective
- 5 bargaining agreement entered into pursuant to chapter 20
- 6 and any provision of section 257.10, subsection 10, to the
- 7 contrary, school districts may expend professional development
- 8 supplement funding for school district general fund purposes
- 9 for any school budget year commencing during the fiscal period
- 10 beginning July 1, 2009, and ending June 30, 2012.
- 11 Sec. 6. FUNDING FOR THE EARLY INTERVENTION SUPPLEMENT.
- 12 Notwithstanding any provision of a collective bargaining
- 13 agreement entered into pursuant to chapter 20 and any provision
- 14 of section 257.10, subsection 11, to the contrary, school
- 15 districts may expend early intervention supplement funding for
- 16 school district general fund purposes for any school budget
- 17 year commencing during the fiscal period beginning July 1,
- 18 2009, and ending June 30, 2012.
- 19 Sec. 7. FUNDING FOR INSTRUCTIONAL SUPPORT. Notwithstanding
- 20 any provision of section 257.19, to the contrary, school
- 21 districts may additionally expend instructional support funds
- 22 for funding purposes under sections 257.41 and 257.46 for
- 23 any school budget year commencing during the fiscal period
- 24 beginning July 1, 2009, and ending June 30, 2012.
- 25 Sec. 8. EFFECTIVE UPON ENACTMENT AND APPLICABILITY. This
- 26 Act, being deemed of immediate importance, takes effect upon
- 27 enactment and applies to the expenditure of funds by school
- 28 districts on and after that date.
- 29 EXPLANATION
- 30 This bill suspends several program and financial mandates
- 31 and restrictions for school districts for any school budget
- 32 year commencing during the fiscal period beginning July 1,
- 33 2009, and ending June 30, 2012.
- The bill suspends requirements in Code section 256.11(9),
- 35 (9A), and (9B), so that school districts are not required
- 1 during these budget years to have a teacher librarian, a

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2 guidance counselor, or school nurse. The bill states that any 3 contrary provision of a collective bargaining agreement is also 4 suspended. This requirement suspension allows school districts 5 either to not fill these positions or to lay off persons in 6 these positions in order to use funds for these positions for 7 school district general fund purposes. School districts may suspend expansion of physical education 9 programs and cardiopulmonary resuscitation certification 10 courses under Code section 256.11(6). The bill pools the statewide preschool program funding in 11 12 Code chapter 256C and redistributes it to all school districts 13 based on a district's budget enrollment as compared to the 14 statewide total budget enrollment, using the enrollment counts 15 from the school budget year beginning July 1, 2009. 16 redistributed funds may be used for Code chapter 256C purposes, 17 if applicable, or school district general fund purposes. Categorical allowable growth funds, including supplemental 18 19 funding for teacher salaries under Code section 257.10(9), 20 professional development under Code chapter 257.10(10), and 21 early intervention programs under Code chapter 257.10(11), are 22 made expendable for school district general fund purposes. 23 The bill states that any contrary provision of a collective 24 bargaining agreement pertaining to this action is suspended. 25 The bill also removes restrictions on instructional support 26 funds in Code section 257.19 so that the funds may be used for 27 funding dropout prevention programs under Code section 257.41, 28 and gifted and talented programs under Code section 257.46. The bill takes effect upon enactment and applies on and after 29 30 the date of enactment. Any funds referenced in the bill that 31 are not yet expended on the effective date of the bill for the

32 school budget year July 1, 2009, are affected.